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**UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON**

**STATE OF OREGON**, et al.,

Plaintiffs,

v.

**ALEX M. AZAR II**, et al.,

Defendants.

**AND**

**AMERICAN MEDICAL ASSOCIATION**, et

al.,

Plaintiffs,

v.

**ALEX M. AZAR, II** et al,

Defendants.

Case No. 6:19-cv-00317-MC (Lead Case)  
Case No. 6:19-cv-00318-MC (Trailing Case)

**UNOPPOSED MOTION FOR LEAVE TO  
FILE *AMICUS CURIAE* BRIEF OF  
AMERICAN CENTER FOR LAW &  
JUSTICE IN SUPPORT OF  
DEFENDANTS' OPPOSITION TO  
PLAINTIFFS' MOTION FOR A  
PRELIMINARY INJUNCTION**

**LR 7-1(a) CERTIFICATION**

In their Joint Notice of Blanket Consent to the Filing of Amicus Briefs (Docket Entry 72), the Plaintiffs and Defendants in both consolidated cases jointly consent to the filing of amicus briefs supporting either party or no party as long as the briefs supporting Defendants are filed by April 17, 2019.

**UNOPPOSED MOTION FOR LEAVE TO FILE AMICUS CURIAE BRIEF**

The American Center for Law & Justice (“ACLJ”), by and through undersigned counsel, respectfully moves the Court for leave to file a brief as *amicus curiae* in support of Defendants’ Opposition to Plaintiffs’ Motion for a Preliminary Injunction.

In support of this Motion, ACLJ states as follows:

1. The ACLJ is an organization dedicated to the defense of constitutional liberties secured by law. ACLJ attorneys have argued before the Supreme Court of the United States in a number of significant cases involving the freedoms of speech and religion.<sup>1</sup>

2. The ACLJ and its members oppose taxpayer subsidization of the abortion industry. The ACLJ submitted comments in support of the Final Rule, Compliance with Statutory Program Integrity Requirements, 84 Fed. Reg. 7714 (Mar. 4, 2019) (to be codified at 42 C.F.R. pt. 59) (Final Rule). The Final Rule is necessary because it (a) restores Title X to its proper function as the only domestic federal program solely designed to provide affordable family planning services to low income families without

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<sup>1</sup> See, e.g., *Pleasant Grove v. Summum*, 555 U.S. 460 (2009) (holding that the government is not required to accept counter-monuments when it displays a war memorial or Ten Commandments monument); *McConnell v. FEC*, 540 U.S. 93 (2003) (holding that minors have First Amendment rights); *Lamb’s Chapel v. Center Moriches Sch. Dist.*, 508 U.S. 384 (1993) (holding that denying a church access to public school premises to show a film series violated the First Amendment); *Bd. of Educ. v. Mergens*, 496 U.S. 226 (1990) (holding that allowing a student Bible club to meet on a public school’s campus did not violate the Establishment Clause); *Bd. of Airport Comm’rs v. Jews for Jesus*, 482 U.S. 569 (1987) (striking down an airport’s ban on First Amendment activities).

promoting abortion or misusing funds to support indirectly or directly entities that provide abortion; (b) creates a high wall of separation, both physical and financial, between those entities that perform abortions and those that provide sustainable family focused family-planning services under the Title X Family Planning Grant Program; (c) increases the means by which women and their families can seek, and the manner in which Title X providers can offer, these services, including the use of natural family planning; (d) protects women and children by requiring Title X service providers to comply with state and local reporting and notification laws regarding rape, abuse, incest, and neglect; and (e) protects the conscience rights of health care workers and organizations who might seek to become Title X grantees but for their objection to referring pregnant patients for abortion, as required under the 2000 regulations.

3. The ACLJ and nearly 250,000 of its members file this brief in defense of the Final Rule because they believe it is an important step toward ensuring that the abortion industry is not subsidized either directly or indirectly with federal taxpayer funds.

### CONCLUSION

For the foregoing reasons, the ACLJ requests that its motion be granted and its amicus curiae brief be filed.

Respectfully submitted,

TRAUTMAN LAW, LLC

Dated: April 15, 2019

By: /s/Jeffrey A. Trautman

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**CERTIFICATE OF SERVICE**

I hereby certify that, on April 15, 2019, a copy of the foregoing Unopposed Motion for Leave to File *Amicus Curiae* Brief, and the *Amicus Curiae* brief were filed and served pursuant to the Court's electronic filing procedures using CM/ECF.

By: /s/Jeffrey A. Trautman  
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